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REMARKS

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Applicants provide the following information and remarks responsive to the requests made in paragraph 3 of the 37 C.F.R. §1.105 Communication as known and readily obtained by Applicants pursuant to this section:

(i) The original parents from which corn variety I060062 was developed are designated 90DJD28 and 90DHQ2. Variety 90DJD28 also has the designations HCL307, PS10522, HXN11 and SGI1944. Lines 90DJD28 and 90DHQ2 are believed to have been on sale or in public use as of the filing date and thus "publicly available" as that term is used in the Request. Applicants understand this term to refer to whether the parent plants had been on sale or in public use as of the priority date of the current application. Clarification is respectfully requested if this interpretation is not what was intended.

(ii) Corn variety I060062 was developed as follows:

Winter 1995-96	Inbred line 90DJD28 (a proprietary DEKALB Genetics Corporation inbred) was crossed to 90DHQ2 (a proprietary DEKALB Genetics Corporation inbred) (Elite Crossing Nursery row E101 X row E103).
Summer 1996	F1 seed was grown and self-pollinated (row 247-37). Harvested ears were bulked.
Winter 1996-97	F2 seed was grown ear-to-row and self-pollinated (rows 7F: 17-52 to 7F: 18-49). 22 ears were harvested.
Summer 1997	F3 seed was grown ear-to-row and self-pollinated (rows 239-35 to 239-56). 1 ear was selected from row 239-46.
Winter 1997-98	F4 seed was grown ear-to-row and self-pollinated (row 6M: 19-36). 3 ears were selected.
Summer 1998	F5 seed was grown ear-to-row and self-pollinated (rows 415-38 to 415-40). F6 seed from row 416-38 was given the code corn variety I060062.
Winter 1998-99	F6 seed was grown ear-to-row and self-pollinated (rows 80SS 2360 and 2361). 10 ears were harvested from of these two rows.

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Summer 1999 F7 seed was grown ear-to-row and self-pollinated (rows 614-39 to 614-20). F8 seed from row 614-39 was bulked.

(iii) As indicated above, lines 90DJD28 and 90DHQ2 had been "publicly available" as of more than a year prior to the filing date. 90DJD28 is covered by U.S. Patent No. 6,121,519 issued on September 19, 2000 and PVP Certificate No. 9700167, issued January 30, 2002; and 90DHQ2 is covered by U.S. Patent No. 6,252,146, issued June 26, 2001. The extent of disclosure of progeny of 01HGI4 and 4KDH1 is provided under item (iv).

(iv) At or before the time of filing of the instant application there are believed to have been four other corn lines produced using said method and said parental corn lines, designated 80DKD1, 80DKD3, 80DKD8 and 80DKD9. These corn lines were not publicly available or sold at the time of filing of the instant application.

CONCLUSION

This is submitted to be a complete response to the referenced Communication. In conclusion, Applicant submits that the present case is in condition for allowance and such favorable action is respectfully requested.

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The Examiner is invited to contact the undersigned at (512) 536-3085 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,



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